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7 Attorneys for Defendant/Counterclaimant
8 Storix, Inc., a California corporation

9 UNITED STATES DISTRICT COURT
10 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

11 ANTHONY JOHNSON, an individual,
12 Plaintiff,
13 v.
14 STORIX, INC., a California corporation,
15 Defendant.

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17 STORIX, INC., a California corporation,
18 Counterclaimant,
19 v.
20 ANTHONY JOHNSON, an individual,
21 Counterdefendant.
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Case No. 14-cv-1873 H (BLM)

DECLARATION OF BARBARA
ANN FREDERIKSEN-CROSS IN
SUPPORT OF STORIX, INC.'S
OPPOSITION TO PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT

Courtroom: 15A (15th Floor -
Carter/Keep)

Judge: Hon. Marilyn L. Huff
Magistrate: Hon. Barbara L. Major
Complaint Filed: August 8, 2014
Trial Date: December 8, 2015

Hearing Date: October 30, 2015
Hearing Time: 10:30 A.M.

25 I, Barbara Ann Frederiksen-Cross, declare:

26 1. I have personal knowledge of the facts set forth in this Declaration and
27 if called to testify, I could and would testify competently to such facts under oath.
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DECLARATION OF BARBARA ANN FREDERIKSEN-CROSS
IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
CASE NO. 14-CV-1873 H (BLM)

1 2. I am the Senior Managing Consultant of Johnson-Laird, Inc. I have
2 experience in the design, development, and analysis of computer software. My
3 experience includes software design, programming, project management, capacity
4 planning, performance tuning, problem diagnosis, and administration of hardware,
5 operating systems, application software, and database management systems. I have
6 over forty (40) years of personal experience as a software developer and consultant,
7 including the development of web-based systems, and secure online data access
8 systems.

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10 3. I have direct experience with storage management and backup and
11 recovery software, and have been responsible for the configuration, scheduling,
12 monitoring and maintenance of such software in the context of its use on a variety of
13 platforms, including IBM mainframes, UNIX and AIX systems, Windows-based
14 networks, and stand-alone computer systems. I have been trained in forensic
15 analysis of computer software in the specific context of infringement analysis, and I
16 have previously qualified as an expert in State and Federal Courts to testify about the
17 operation of computer software and computer systems in the context of software
18 copyright and patent disputes.

19 4. I have been retained by Defendant/Counterclaimant, Storix, Inc. (herein,
20 "Storix") to perform an independent analysis of source code, technical materials, and
21 litigation related depositions and documents in reference to the above case.

22 5. I make this declaration in support of Storix's Opposition to Plaintiff,
23 Anthony Johnson's (herein, "Johnson") Motion for Summary Judgment.

24 6. Attached to this declaration as **Exhibit 91** is a true and correct copy of
25 my Opening Expert Report in the above-captioned matter, dated July 29, 2015.

26 7. Attached to this declaration as **Exhibit 92** is a true and correct copy of
27 my Rebuttal Expert Report in the above-captioned matter, dated August 31, 2015.

8. During my engagement in this matter, I reviewed a copy of the version of Storix Backup Administrator for AIX ("SBAdmin") deposited with the U.S. Copyright office in the course of obtaining Registration No. TXu 988-741 (the "Deposit Copy"). The Deposit Copy was a CD and contained computer program files in various formats. Specifically, the SBAdmin Version 1.3 CD used for Copyright registration TXu 988-741 contains the following files:

CDROM
 INSTALL.LIST
 LICENSE.TXT
 README.CHANGES
 README.INSTALL
 STADMIN.LIST
 STANDALONE.LIST
 STCKLICENSE
 STCLIENT.LIST
 STDEFAULTS
 STDOCS.BIN
 STDOCS.LIST
 STDOCS_SA.BIN
 STDOCS_SA.LIST
 STEXTRACT
 STINSTALL
 STLICENSE
 STORIX
 STUPDATE
 SYSBACK.LIST
 XDEFAULTS

9. These files are part of SBAdmin Version 1.3 distribution files and include compiled object code and binary files (STDOCS.BIN, STDOCS_SA.BIN, STEXTRACT, STORIX), shell scripts for install or updates (STUPDATE, STINSTALL), license files (LICENSE.TXT, STLICENSE, STCKLICENSE), various lists of files (*.LIST files), configuration files (STDEFAULTS,

1 XDEFAULTS), and readme files (README.CHANGES, README.INSTALL).
2 These files do not include the source code used to create the SBAdmin Version 1.3
3 software.

4 I declare under penalty of perjury according to the laws of the United States
5 that the foregoing is true and correct. Executed this 16th day of October, 2015, at
6 Portland, Oregon.

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10 Barbara Ann Frederiksen-Cross
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